



5-13-3

164.8

Atty. Dkt. No. 041303-0138
Appl. Ser. No. 09/812,720

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Mellencamp, Mark W.
Title: EQUINE HERPESVIRUS VACCINE
Appl. No.: 09/812,720
Filing Date: 03/20/2001
Examiner: Foley, Shanon A.
Art Unit: 1648

CERTIFICATE OF EXPRESS MAILING
I hereby certify that this correspondence is being deposited with the United States Postal Service's "Express Mail Post Office To Addressee" service under 37 C.F.R. § 1.10 on the date indicated below and is addressed to: Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450.

EV 2270435301 US 05/12/03
(Express Mail Label Number) (Date of Deposit)

Roberta A. Cooper
(Printed Name)
Roberta A. Cooper
(Signature)

AMENDMENT TRANSMITTAL**RECEIVED**

MAY 15 2003

TECH CENTER 1600/2900

Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

Transmitted herewith is an amendment in the above-identified application.

Small Entity status under 37 C.F.R. § 1.9 and § 1.27 has been established by a Small Entity statement previously submitted.

Small Entity statement is enclosed.

The fee required for additional claims is calculated below:

Claims as Amended	Previously Paid For	Extra Claims Present	Rate	Additional Claims Fee
Total Claims: 36	— 34	= 2	x \$18.00	= \$36.00
Independents: 6	— 7	= 0	x \$84.00	= \$0.00
First presentation of any Multiple Dependent Claims:			+ \$280.00	= \$0.00
			CLAIMS FEE TOTAL:	= \$36.00

Applicant hereby petitions for an extension of time under 37 C.F.R. § 1.136(a) for the total number of months checked below:

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<input type="checkbox"/>	Extension for response filed within the first month:	\$110.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the second month:	\$410.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the third month:	\$930.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the fourth month:	\$1,450.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the fifth month:	\$1,970.00	\$0.00
EXTENSION FEE TOTAL: \$0.00			
CLAIMS AND EXTENSION FEE TOTAL: \$36.00			
<input type="checkbox"/>	Small Entity Fees Apply (subtract ½ of above):		\$0.00
TOTAL FEE: \$36.00			

Check number 12336 in the amount of \$36.00 is enclosed.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 06-1447. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1447. If any extensions of time are needed for timely acceptance of papers submitted herewith, applicant hereby petitions for such extension under 37 C.F.R. § 1.136 and authorizes payment of any such extensions fees to Deposit Account No. 06-1447.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date 05/12/03

By M. Scott McBride

FOLEY & LARDNER
Customer Number: 26371



26371

PATENT TRADEMARK OFFICE

Telephone: (414) 297-5529
Facsimile: (414) 297-4900

M. Scott McBride
Attorney for Applicant
Registration No. 52,008